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IT IS ENCLOSED BY S. G. LYMAN.

NEW YORK CITY

23.

Inter-American Conference
For the Maintenance of Peace

BY SAMUEL GUY INMAN, 1877—

[Faint handwritten notes at the bottom of the page]

Figure 2. Nucleotide sequence of the 5' region of the *hprt* gene.

Received NOV 1964

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FRIENDS' PEACE COMMITTEE
 304 ARCH ST. 1515 CHERRY ST.
 Philadelphia, Pa.
 Tenth Month, 1936

INTER-AMERICAN CONFERENCE FOR THE MAINTENANCE OF PEACE

The approaching Inter-American Conference on Peace, scheduled to open in "solemn session" in Buenos Aires on December 1, 1936, marks on the one hand the culmination of long-continued efforts to improve relations among the American republics, and on the other hand the beginning of new efforts to organize peace on a permanent basis in the American hemisphere, and to relate that American peace organization harmoniously to the more inclusive League of Nations.

The ending of the Chaco War by Bolivia and Paraguay agreeing to enter peace negotiations was given by President Roosevelt as marking a propitious time for representatives of the American Republics, sitting around a common council table, "to consider their joint responsibility and their common need of rendering less likely in the future the outbreak or the continuation of hostilities between them and . . . to serve the cause of peace on this Western Continent." The long continuance of the Chaco War had proven the weakness of the various Pan American peace pacts and had clearly revealed the necessity of ending the rivalries of peace efforts centered at Washington, Geneva and Buenos Aires. This work, however, might have been left to the Eighth Pan American Conference scheduled to meet in Lima, in 1938, if the American continent were the only one involved. But such was not the case. Europe was seething with the talk of war, Germany and Italy were breathing out threats and slaughter every time their dictator-rulers addressed the assembled multitudes, Japan was advancing in China, according to her war-lords, only as a preliminary to world dominance. If such threats were carried into action, where would the American Continent be? Such a question could hardly have been absent from the President's mind—if it were not foremost—when he sent his famous letter of January 30, 1936, to the presidents of the other twenty American republics inviting them to send delegates to the conference now planned to meet in Buenos Aires, December 1, 1936. During the first World War, Pan American solidarity was

shown to be non-existent. The United States failed to join the Latin Americans in a proposal to work out neutrality questions through the Pan American Union; later the majority of Latin American countries refused the invitation of the United States to follow her into the war. With the growing signs of another world conflagration, a wise American statesman could do no less than strive to unite the New World in a common program for peace and neutrality. The Spanish Revolution sharpens the issue, for Spain is now being thrown into the midst of the European embroglio with all the cross currents of fascist and communist, thus separating it from its old place of spiritual kinship to Spanish American democracies. Likewise the failure of the League of Nations to prevent the spoliation of Ethiopia has thrown a damper over the enthusiasm of its member states in Latin America, and induced some of them to think more favorably of an exclusive American understanding.

So the calling of the Conference has inaugurated a warm debate among the Latin American countries on the old question of an American League of Nations. In reply to the invitation, Guatemala led other countries in suggesting such a league as a topic for discussion. The agenda announces "a consideration of the generalization of the American juridical system—the creation of an American court of justice—other measures tending toward closer association of American Republics." Chile in her reply objected to the American league idea and argues for a regional organization in America that will fit into the scheme of the world league at Geneva.

Thus we have this important issue joined and in all parts of the continent the question warmly discussed.

I

A CENTURY'S STRUGGLE FOR A COLLECTIVE SYSTEM

"When more favorable circumstances afford us more frequent communications and closer relations, we shall hasten, with the liveliest interest, to set on foot, on our part,

the American covenant which, by forming one political body of all our republics, shall present America to the world with an aspect of majesty and greatness without parallel among the ancient nations. America, thus united, will be able to call herself the queen of nations, the mother of republics." Thus wrote Simón Bolívar to Supreme Director Pueyrredón of Argentina, in 1818—an illustration of the fact that for a hundred years before the world agreed to form at Geneva a collective system to maintain international peace, the American Continent began working on that problem.

EARLY LATIN AMERICAN EFFORTS

In 1822 Colombia initiated a series of treaties with other American nations providing for the first modern agreements to arbitrate all differences that might arise. In 1826, the first conference in history was called to consider a League of Nations among democratic peoples. Although that conference, which met in Panama, failed, it defined ideals in regard to a collective system which were written into the Covenant of the League of Nations a century later. The lack of communications and the overwhelming problems of national organization which for so many decades faced each one of the nascent republics were not allowed to dim the vision. The second American Congress met in Lima in 1847; the third in Santiago in 1864; a fourth in Lima in 1865. Several other purely Latin American conferences were held, notably two for the purpose of codification of international law in Lima in 1874 and in Montevideo in 1888. In each one of these, bases for international government on the American Continent were studied. Unfortunately, the United States did not participate in these conferences. Congress debated the invitation to attend the Panama gathering for three months, so that when, under presidential pressure, approval was finally given, one delegate received his appointment too late to make his boat and the other unfortunate emissary died on the way! In 1847 we were too interested in certain events in Mexico to send peace envoys to the second conference at Lima. In 1856 a mild-voiced gentleman from Tennessee,

little remembered in the United States but of great renown in Latin America, Mr. William Walker, was filibustering in Central America, under the quasi-approval of Washington. In 1865 civil war in our own land absorbed national attention. So neither were we represented at the gatherings held on those dates.

It is easily understood that the growth of an "American System" for which Henry Clay as well as the Spanish Americans were pleading was not aided by the spirit of "Manifest Destiny," as illustrated by President Buchanan, who declared in his message to Congress in 1858: "It is beyond question the destiny of our race to spread themselves over the continent of North America and this at no distant day, should events be permitted to take their natural course." Following the Civil War, however, the United States began to take a greater interest in the development of friendly relations with Latin America. Since the efforts at political federation proposed by the Southerners had failed, the United States was now ready to propose the way of trade. Leadership passed from the theoretical Latins to the practical Anglo-Saxons; a new word "Pan Americanism" was coined—a real fellowship through commercial exchange was the plea, with political questions banished from the agenda!

THE PAN-AMERICAN CONFERENCES

The first of this new series of conferences, popularly called Pan American but officially known as International Conferences of American States, was held in 1889 at Washington. It lasted four months, largely because of the colorful debates between the delegations of the United States and Argentina. The proposal of the United States for an American customs union was not pushed because of suspicion it aroused in various Southern countries. No definite results were achieved except the establishment of an International Bureau of American Republics in Washington, for the collection and publication of information relating to commerce. This bureau was the modest beginning of the now well-known Pan American Union.

The Second Conference, held in Mexico City in 1901,

showed that the Latin Americans would not be satisfied to eliminate political questions. The codification of American international law, the collection of debts, and arbitration were discussed along with commercial questions. The Third Conference, at Rio de Janeiro in 1906, was notable for the reorganization and enlargement of the Pan American Union. The Fourth Conference, at Buenos Aires in 1910, approved four treaties, all commercial, relating to trade marks, copyrights, patents and collection of pecuniary claims.

The Fifth Conference, held in Santiago, Chile, in 1923, after an interval of thirteen years because of the World War, faced a new world, with a number of new international problems. With the example of the League of Nations, of which most of the Latin American countries were enthusiastic members, the discussion of an American League, as a regional organization related to the Geneva League, could not be escaped. Along with that subject, proposed by Uruguay, a number of other political and social questions were introduced by the insistent Southern countries. As the Conference proceeded there developed a strong movement toward the organization of an American International System. Besides the Uruguay plan, others that were advocated by a block of Latin American nations were the enlargement of the Pan American Union, the formation of an American International Court and the codification of American international law. But all the Conference, acting under the unanimity rule, was able to pass along these lines was the Gondra Pact providing for the appointment of commissions of inquiry to settle disputes under certain limited circumstances and a resolution "to entrust to the governing board of the Pan American Union the special task of studying the bases . . . to make closer the association of said republics."

The Sixth Pan American Conference, at Havana, was overwhelmed by the delegation from the United States. Led by the impressive figure of Charles Evans Hughes, journeying to this peace conference on a battleship, and backed by the presence during the first few sessions of President Coolidge and Secretary of State Kellogg, the eight distinguished gentlemen from the North distributed

themselves among the eight commissions appointed to deal with the agenda and effectively blocked every effort at a forward pass of the American League ball made by the brilliant but individualistic members of the Spanish American team. The first week of debate brought such a spirited tilt between Mr. Hughes and the chief of the Argentine delegation, Dr. Honorio Pueyrredón, over the desire of the latter to introduce the question of tariffs and other economic problems into the agenda, that he forthwith resigned. On the last day, always anticipated as a love feast, the efforts to overcome the objections of the United States delegation to a resolution condemning intervention was productive of such language that parts of the debate had to be expunged from the minutes.

In an impassioned plea at Havana for an enlargement of the functions of the Pan American Union, Dr. Enrique Olaya Herrera, later president of Colombia, said he believed that some day "the union of the peoples of America in an assembly representing all their strength, may serve the peace of peoples, avoid political conflicts and unite them in an entity of political, economic and cultural interests."

The Conference, however, voted that: "Neither the Governing Board or the Pan American Union shall exercise functions of a political nature."

The Seventh Conference, held at Montevideo in 1933, marked a new era in inter-American relations. Certain steps had been taken to better these relations before the Montevideo gathering. One was the appointment of a man of the calibre of Mr. Dwight Morrow as Ambassador to Mexico and allowing him sufficient liberty to settle the major problems between the two countries and overcome what seemed to be an impasse in their friendly relations. To Ambassador Morrow's work was due much of the close fellowship between the delegations of Mexico and the United States, years later at Montevideo, without which the larger accomplishments of that Conference would not have been possible.

BETTER INTER-AMERICAN RELATIONS

The second step in this advance came with the announcement by President Hoover that the United States marines

would be withdrawn from Nicaragua, one of the last countries where they still remained as a result of the policy of "exercising police power" announced by President Theodore Róosevelt.

The third step was taken when Secretary Stimson, reversing the policy of Secretary Hughes and Secretary Kellogg, agreed that the League of Nations should act in settling a dispute between two of its member states on the American Continent, Colombia and Peru, who were threatening to go to war over the little Amazon town of Leticia. The fourth step was the reversal of the former policy, so far as South America was concerned, of non-recognition of governments established by revolution.

With the advent of the Roosevelt Administration and the appointment of Secretary of State Hull, these favorable steps were turned into definite action and various moves were made under the announced "Good Neighbor Policy" which placed the relations between the United States and Latin America in better condition than ever before. To Secretary of State Cordell Hull was due much of the success of the Conference. His quiet, gentlemanly manner, his calling on the Latin American delegations that first day and urging harmonious effort to settle the Chaco question, his declaration that the gathering should be open to discuss any question of interest to the American continent, his statement that the United States Government would not associate itself with international bankers to collect debts, his proposal to lower tariffs, his pledge against intervention and his stand for an unequivocal position on American peace pacts all explain the deep affection with which practically every delegate regarded him.

For the first time also the League of Nations had a normal place, as a world organization of which most of the countries were members. Since the United States had ceased to invoke the Monroe Doctrine against League activities for its member states in America, those member states had no special reason for baiting the United States delegation on this question. One of the high spots of the Conference was when the League Commission working to settle the Chaco question was introduced to the Conference in special sessions, and the Chairman of the Commission, Dr. Julio

Alvarez del Vayo, made a notable address on world co-operation.

A general peace plan, suggested by Mexico, was referred to the various governments for action. This plan would provide for the submission of all inter-American differences (1) to a Permanent Commission on Conciliation, elected by the American nations, through the Pan American Union, or (2) an arbitration board, or (3) to an inter-American court of justice.

Two years and a half after the Montevideo Congress was held, a survey of the Pan American situation from the viewpoint of the United States might be outlined as follows:

(1) The United States has solemnly and formally declared its intention not to intervene in Latin America. At the Pan American Conference in Montevideo Secretary Hull supported a declaration that "no state has the right to intervene in the internal or external affairs of another state." The United States Senate later ratified the treaty on the rights of states containing this agreement. (This is the greatest victory for peace in America for many years. So long as an intervention policy continued there could be no real Pan Americanism. The strict adherence to this treaty by the United States is of primary importance.) (2) A new move away from "dollar diplomacy" was especially emphasized at the Montevideo Conference by the declaration of Secretary Hull that the United States Government did not propose to act as agents of the international bankers in the collection of debts. The partnership of government and bankers in the making and collection of loans has seemingly ceased. (3) Pan American conferences have had removed from them the former limitations of discussion placed on them by the United States, whose delegates had heretofore used their influence to prevent discussion of various topics. At Montevideo much was gained for the Pan American movement when the United States delegation made the statement that it was willing to treat any question that was of interest to the Conference, and introduced the new question of tariffs. (4) A reversal of the policy of non-recognition of revolu-

tionary governments in Central America and the consequent recognition of the government of El Salvador have done much to clarify the desire of the United States not to dominate Central American countries. (5) Relations with Panama have been improved by President Roosevelt's invitation to President Arias to visit the White House, resulting in various agreements, especially one prohibiting encroachment on the commerce of Panama by the Canal Zone authorities. (6) An agreement between President Roosevelt and President Vincent of Haiti is about to result in the complete withdrawal of our fiscal intervention (the marines having been withdrawn in the summer of 1934), leaving in Haitian hands the collection of her customs and thus completely returning her sovereignty. (7) The abrogation of the Platt Amendment—a treaty imposed by force upon a neighboring nation which, in the minds of Latin Americans, has stood for the most objectionable assertions of the right of intervention. (8) The complete withdrawal of all United States armed forces from all Latin American countries. (9) The approval by the United States Senate of the treaties agreed upon by the Montevideo Congress and the signing of tariff treaties with Cuba, Brazil, Colombia, Haiti, Guatemala and Nicaragua. (10) The South American countries have been encouraged to settle their disputes and to form their own commercial and other agreements. Under such encouragement there has developed an important series of conferences and fraternal relations between the governments of South American countries, with the exchange visits of various presidents and ministers of foreign affairs, the signing of several tariff treaties and especially the acceptance by all South American countries of the Argentine Anti-war Pact. (11) The peace machinery of the Americas has been strengthened by the new attitude of the United States in agreeing with all other members of the Pan American Union: (a) to sign all of the five Pan American Peace Pacts; (b) to appoint a permanent Commission for the Codification of American International Law; (c) to study the question of the enlargement of the Pan American Union and the development of a permanent Commission on Conciliation, an American International Court of Justice and other peace machinery. (12) The

matter as to whether the United States, appealing to the Monroe Doctrine and Article XXI of the League Covenant, would continually limit the League in its functioning in peace negotiations between member states in America, was clarified, when the United States joined with the other American countries at the Montevideo Conference in officially welcoming to the Pan American Conference the League Commission working on the settlement of the Chaco War. (13) Proposal of plebiscite on independence of Puerto Rico has been made.

One hundred and ten years after the first International Conference at Panama, the struggle for an American collective system seems nearer than at any other time to the elimination of its four greatest enemies—isolation, boundary disputes, the doctrine of continental dominance by the United States and rivalries between the European and American organizations for peace.

OTHER INTERNATIONAL SYSTEMS

There are, however, two other international systems, which, if they are not to develop as serious rivals, must be sympathetically considered and generously integrated into the all-American program. First, there is the Latin American Union, based on the idea that the interests of Hispanic-American nations are similar and differ fundamentally from those of Anglo-Saxon America. Tendencies toward South American political unity are seen in the moving of the peace parleys on the Chaco question from Washington to Buenos Aires, and the settling of the Leticia dispute at Rio de Janeiro. If the United States should continue its historic policy of continental domination, no doubt the idea of a Latin American Union will grow rapidly. The second is the Monroe Doctrine. If there should prevail the more recent policy of the Roosevelt Administration, privately declared and publicly acted upon, that the Monroe Doctrine is the basis not of relations between American nations, but with extra-continental powers, and if this country, ceasing its former blocking tactics, should enter heartily into the building of an American International System based on justice and mutual sharing—

then the advocates of a Latin American Union will find it hard sledding. It might be over-simplification to say that the solution of the problem would be for the antiquated interpretations of the Monroe Doctrine to be swapped to the Southerners for their protective scheme for a Latin American Union, each one of them to be placed in a museum where their admirers could send them flowers. Both ideas, like the yoke of oxen that pulls one's motor car out of the mud, still have some good points. But they become somewhat of a nuisance on a modern international highway. If national sentiment is too great for the museumizing of the Monroe Doctrine, the suggested continentalizing of it might accomplish much of the same object.

There remains the important question concerning the relations between the American System and the League of Nations. As a price of the entrance of the United States to the League, the other nations were compelled to accept Article XXI of the Covenant which declared that: "Nothing in this covenant shall be deemed to affect the validity of international engagements such as treaties of arbitration or regional understandings like the Monroe Doctrine, for securing the maintenance of peace."

The second discouragement was that even after this article was adopted, the United States did not come into the League. But she soon made it known to the League and to Latin America that she would not allow Geneva, without considerable unpleasantness, to operate on the American Continent.

This failure of the League, bound down by Article XXI to help its member states in America, has caused a waning of enthusiasm among those states who in the early days were so filled with enthusiasm for that organization.

The League has done much to honor the Latin American members. Five of the presidents of the Assembly have been Latin Americans, the most recent one elected in September, 1936, being the distinguished author of the Argentine Peace Pact, Dr. Carlos Saavedra Lamas. At various times they have presided over the Council and some of the most important Commissions, as they have also furnished five judges of the World Court. Today the

World League at Geneva, the Pan American Union at Washington, and the proposed Latin American Union are all bidding for supremacy. There is no inherent reason why the legitimate influences of all these might not be considered in a Society of American Nations. The recent renunciation of intervention on the part of the United States, and the well-known ecumenical outlook on life traditional to the Hispanic American people—along with the lessons of a century of effort—to develop a collective system ought to stimulate the Buenos Aires Conference to furnish a lead to America and to the World.

II

POSSIBLE ACCOMPLISHMENTS AT BUENOS AIRES

THE AGENDA

The Inter-American Conference on Peace scheduled to open its first session on December 1, 1936, in the City of Buenos Aires is a conference of the governments of the twenty-one republics of the continent.¹ Delegates will be limited to those appointed, usually numbering from two to ten, by each participating state. A limited number of visitors will be extended cards of admission to the general sessions of the Conference, if precedents of other Pan American gatherings are followed. It should be remembered that this is not one of the seven of the regular series of official International Conferences of American States, the eighth of which is called to meet in Lima in 1938, but assembles at the invitation of President Roosevelt, with the Argentine Government as host, to consider the great question of Inter-American peace. It will have its own special rules of procedure. However, the machinery of the Pan American Union has been used to determine the

¹ Various moves have been made looking toward having Canada join the Pan American Movement, but up to the present she has not seemed to warm to these hints.

agenda,² which has been approved by the participating governments, as follows:

- I. Organization of Peace;
- II. Neutrality;
- III. Limitation of Armaments;
- IV. Juridical Problems;
- V. Economic Problems;
- VI. Intellectual Co-operation.

Recognizing the truth of the Spanish proverb, *El que mucho abarca poco aprieta* (undertaking too much means accomplishing too little), the Governing Board of the Pan American Union on adopting the agenda passed the following important resolution:

“To approve these documents and to recommend to the Inter-American Conference for the Maintenance of Peace that, in harmony with the report of the Committee, preferential consideration be given to the questions relating to the organization of peace, and that the Conference determine which of the other topics, whether of an economic, commercial or cultural character, are sufficiently ripe or merit a sufficiently general consensus of approval to make advisable their consideration; as well as those which should be referred to special conferences or to the Eighth International Conference of American State.”

A minimum accomplishment which might be expected from the Conference would perhaps be (1) the harmonizing, vitalizing and implementing of the five major Pan American peace pacts which provide for arbitration of certain kinds of disputes and for the functioning under certain conditions of Commissions of Conciliation; (2) an extension of the Hull Plan of Bilateral Tariff Treaties as approved at the Montevideo Conference; (3) a general statement on the principles of neutrality.

A maximum accomplishment would be the signing of a multilateral pact symbolizing continental solidarity and the creation of a permanent peace organization. This

² The text of the agenda is printed in the Appendix, page 36.

body would represent all American governments, with the right and duty of watching over the peace of the continent. It might be supplemented by an Inter-American Court of Justice. The organization would need a competent secretariat, and should be provided with major divisions or departments such as Economics, Finance and Credit, Labor, Hygiene, Codification of International Law, Intellectual Co-operation, Relations with Other International Organizations.

Let us examine, with these minimum and maximum possibilities in mind, the various sections of the agenda.

ORGANIZATION OF PEACE

Existing American Peace Measures

The existing Inter-American peace measures are numerous. The most important are the five which include the Gondra Treaty of 1923, the Pact of Paris of 1928, the Inter-American Conciliation and Arbitration Pacts of 1929, and the Argentine Anti-war Pact of 1933.

The Gondra Treaty, or the Treaty to Avoid or Prevent Conflicts between the American States, provides that disputes which the parties fail to settle in due course must be submitted to conciliation, special conciliation commissions to be set up in each case, under the general supervision of two permanent commissions, one at Washington, the other at Montevideo, composed of the three senior American diplomats at those capitals. The conciliation commissions' findings are reports, not decisions, but the parties agree not to go to war until at least six months after the report has been made.

The Pact of Paris, as is well known, binds the nations that have signed it to renounce war as an instrument of policy, and not to settle disputes except by peaceful means. It makes no provision for carrying out these promises.

The General Convention of Inter-American Conciliation provides that all disputes not otherwise settled shall be submitted to conciliation, commissions for that purpose to be established according to the provisions of the Gondra Treaty. It reduces the number of exceptions to the Gondra Treaty obligation to resort to conciliation, and authorizes

the two permanent commissions set up under that Treaty to act on their own initiative if the parties fail to submit a dispute to conciliation. As in the Gondra Treaty, the findings of a conciliation committee are a report and not a decision; and there is no provision for the case in which the disputants fail to settle the quarrel on the basis of the report.

The General Treaty of Inter-American Arbitration provides for submission to special arbitration tribunals of disputes capable of a judicial settlement. The tribunals are to be set up *ad hoc* in each case; and the disputants are to formulate in each case an agreed statement of the dispute, the rules to be observed by the tribunal in settling it, "and the other conditions to which the parties may agree." The decision of the tribunal is binding on the parties as a settlement of the dispute. Most of the nations ratifying this treaty did so with reservations more or less restricting its application.

The Anti-War Treaty of Non-Aggression and Conciliation, or the Argentine Anti-War Treaty, condemns wars of aggression, pledges the parties to use peaceful means only in settling their disputes, lays down the principle of non-recognition of territorial changes brought about by force, provides for the conciliation of disputes and obligates the parties to submit disputes to conciliation. During the conciliation process and for six months thereafter the parties must abstain from any act likely to aggravate or prolong the dispute. (The principal articles of this Treaty are printed in the Appendix, page 38.)

In case of an aggression, the Argentine Anti-War Treaty provides that the parties shall together exercise the political, juridical or economic means authorized by international law to prevent war, but will in no case resort to intervention, diplomatic or armed, except as required by obligations under other multilateral treaties. This section, in spite of the escape clause, might lead to unfortunate conflicts between the American nations and the League of Nations.

The American peace system is weak in that it offers no solution of the problem which arises when one disputant is reluctant to submit the dispute to peaceful settlement.

Such a nation might delay proceedings by technicalities and increase the gravity of a situation, while technically complying with the treaties. Another weakness is that none of the five treaties has been ratified by all the American nations.

The Argentine Proposal

The Argentine Minister of Foreign Affairs, Dr. Carlos Saavedra Lamas, has sent to the governments preparing for the Buenos Aires meeting a "Draft of a Convention for the Maintenance of Peace,"¹ a document of forty-seven pages, which suggests the harmonizing especially of the Kellogg Pact and the Argentine Anti-War Pact and provides a certain implementing of them. One of its interesting suggestions is to omit the word "American" from the Treaty on Inter-American Arbitration, so as to facilitate universal adherence to that document. This is a part of the effort of Dr. Saavedra Lamas, elected President of the 1936 Assembly of the League of Nations, to connect American peace machinery with that of the world in general. He has secured the signature of a number of European nations to his Argentine Anti-War Pact, the total of signatures on May 1, 1936, being thirty. Along the same lines is Article IV, a part of which reads:²

"Believing that all wars or threats of war affect directly or indirectly all civilized peoples, and that it is absolutely necessary to re-enforce the action of the League of Nations, the efficacy of which depends upon the widespread application of the measures which it may adopt to prevent armed conflicts or to re-establish peace, the High Contracting Parties agree:

"(a) The Contracting States which are members of the League of Nations and signatories of the Kellogg Pact or the Saavedra Lamas Pact or of both at the same time, may jointly or separately request the contracting states which are not members of the League but are signatories of the above-mentioned Pacts, to lend their co-operation in the anti-war measures or in the sanctions which the League of Nations may counsel be adopted against its member states which have broken its Covenant."

¹ "Draft of a Convention for the Maintenance of Peace." A Contribution to the Labors of the Forthcoming Inter-American Peace Conference by His Excellency, the Minister of Foreign Affairs of the Argentine Republic, Dr. Carlos Saavedra Lamas, Washington, D. C., May, 1936.

² Op. cit. p. 6.

In order to close the many loop-holes in the Gondra and Washington Treaties of Conciliation, which failed to compel a recalcitrant disputant to submit to conciliation, Article V states that any one state in a conflict or a signatory state not involved can assemble the Conciliating Commission, the latter having the right to prescribe either non-military or military acts to hold up a war while conciliation is proceeding:³

"In case the efforts at conciliation are not successful, the High Contracting Parties undertake to decree simultaneously an embargo upon land, naval, and air armaments, as well as upon petroleum, coal, or any other material which may be directly used in war. . . . In the preventive period of the war, the embargo shall be applied to the war materials intended for either of the states in conflict. After hostilities have begun, the embargo shall be decreed against one or the other of the belligerent countries, taking into account the characteristics of the aggression. . . . The weight of public opinion against the contracting states which violate the Pacts shall be expressed in the censure thereof. . . . If this measure does not have the desired effects, a temporary suspension of diplomatic relations with the treaty-breaking state shall be concerted in the same way. . . ."

An agreement is suggested not to employ armed force nor to permit diplomatic intervention for the collection of debts. The declaration of the American States on August 3, 1932, is re-enforced that "territorial questions are not to be settled by violence and that they will not recognize the validity of occupation or acquisition of territories which may be accomplished by force of arms." Following the Draft Treaty itself is a Statement of Reasons which gives a good review of the many peace treaties as well as international doctrines such as that of Drago. Dr. Saavedra Lamas expresses great hope in the contribution of the Buenos Aires Conference to American peace.

"A great contribution toward its ultimate consecration will undoubtedly be made by the 'good-neighbor' policy which has been inaugurated by the administration of President Roosevelt in a true spirit of American fraternity and seconded by the Secretary of State, Mr. Hull. They increased its theoretical scope by positive measures for inter-American harmony such as the elimination of the Platt Amendment in Cuba, the withdrawal of the forces of occupation in Haiti, and the revocation of the right to maintain order in Panama.

"By Article 7 and the following articles of this chapter an at-

³Op. cit. pp. 9, 10.

tempt is made to establish in a definitive manner the main lines of the present Pan American policy of the United States, characterized as above. Because of its significance, because of the promises contained in it affecting the mutual relations of the countries of America, that policy of the 'good-neighbor' should be rendered secure from the transitions resulting from the changes of men which take place in governments and beyond the consequences of the transient ascendancy of political parties.

"Those who have followed for years the development of Pan American policy consider the course taken by President Roosevelt and the Secretary of State, Mr. Hull, as directed toward the pole opposite to that of the old policy which had been developing. . . ."

Secretary Hull, in discussing the suggested Draft Treaty with the press, indicated that much of it was in harmony with the new Latin American policy of the Roosevelt Administration.

The Mexican Peace Code

This code, already referred to, was presented by Mexico to the Montevideo Conference and referred to the governments for study. It goes much further than does the Draft Treaty suggested by Argentina, although the latter includes a number of the Mexican proposals. The first chapter re-states the two articles of the Kellogg-Briand Pact and defines an aggressor as one who has executed one of the following acts:

- a. Declared war on another state.
- b. Commenced invasion with land, marine or aerial forces against the territory, ships or airplanes of another country.
- c. Commenced the blockade of the coast or of any part of another country.
- d. Helped those elements which, having been formed within its territory, attack another country, or refuse the requests of the country attacked to take all the means necessary to deprive those elements of assistance and defense.

The Drago Doctrine against recourse "to armed force for the recovery of contract debts" and the declaration of the American states of August 3, 1932, against the recognition of any territorial arrangement which has not been

obtained by peaceful means, are repeated. Common action is provided in case of the violation of any of the preceding articles, "in the exercise of all the political, juridical, or economic means authorized by international law," but it also adds the Calvo Doctrine against intervention, whether diplomatic or armed.

Chapter II outlines the bases of the system. It provides that, in case of conflict, recourse must be had to the Permanent Commission of Conciliation, to arbitration, or to the Inter-American Court of Justice. A radical advance over all other peace schemes is the setting up of an American Commission of Conciliation, elected by the American International Conference composed of twenty-one members, five of which shall be a permanent delegation. This group sitting permanently has itself the power to initiate the settlement of differences between two states. It also is instructed, in reporting six weeks after beginning its inquiry, to suggest a definite plan for the settlement of the dispute. Its report, however, does not have the power of arbitral award.

The American Court of International Justice proposed would consist of one member from each of the contracting parties, selected by them, including Canada. The court would have obligatory jurisdiction in the following cases:

- a. The interpretation of a treaty.
- b. The existence of any fact which, if established, would constitute a violation of an international obligation.
- c. The nature and extent of the reparation to be made for the violation of an international obligation.
- d. The interpretation of an opinion handed down by the tribunal.

An American Court of Justice

The organization of an Inter-American Court of Justice has often been advocated. Costa Rica submitted a well-rounded scheme for such at the Fifth Pan American Conference. The first international court in the world was organized in Central America. It functioned between 1907 and 1917, but went out of existence when Nicaragua,

backed by the United States, refused to accept the court's decision in relation to canal rights given to the northern Republic.

President Wilson made a proposal for a close association of American nations in 1916. It suggested an agreement on four points:

1. Agreement of American nations to guarantee to each other absolute political independence and territorial integrity.
2. Guaranteeing an agreement to settle all pending boundary disputes.
3. All future disputes to be handled by patient investigation and settled by arbitration.
4. No American state will permit revolutionary expeditions against another state to be fitted out in its territory and will prohibit exportation of munitions to supply revolutionists against neighboring governments.

Strange enough, this agreement, supposedly favorable to Latin America, was not accepted because Chile, particularly, seemed to fear any kind of a general pact which might give the United States a legal right to intervene in Latin American affairs. It was because of this same fear that Mexico and other countries agreed to deny political power to the Pan American Union. It was feared that with the dominance of the United States in the Union, the northern Republic might find legal justification for meddling in Latin American affairs. On the other hand, the United States has opposed a closer organization of Inter-American machinery because she feared that it would prove a limitation on her free action.

The only reason to suppose that the Buenos Aires Conference can make any real progress toward uniting into a simple, useful, effective whole the many confusing, overlapping and incomplete peace agreements, is that both the United States and the Latin American countries have lessened their suspicions and enlarged their mutual confidence. That such a change has taken place is proven not only by the reversal of the intervention policy of the United States, but also by the enlarged fellowship of South Ameri-

can governments among themselves, the exchange of presidential visits, signing of neighborhood tariff agreements and the mediation which brought peace in the Chaco and Leticia. In the large number of Pan American conferences held during the last two years there has been a notable absence of the two former favorite sports, baiting the northern uncle by the Southerners and patronizing speeches by self-elected superior Anglo-Saxons.

Having in mind this good spirit on the American Continent and the opposite spirit of suspicion in Europe, which has weakened European peace machinery, we come to examine the second topic on the Agenda.

New Means of Closer Association of American Republics and Other International Entities.

This item fortunately states the fact that American international relations are a triangle and not simply a straight line. Both North and Latin Americans came from Europe and still have major economic and cultural interests there. The fact that the majority of American nations are members of the League of Nations, and that all are now co-operating with the League and the International Labor Office, makes it impossible for the coming conference not to keep clearly in mind European relations. The man presiding over the League Assembly in September, 1936, at Geneva, Dr. Saavedra Lamas, will no doubt likewise preside in December at the Pan American Conference in Buenos Aires. Nevertheless there will be present a strong influence for continental isolation. This usually has come from the United States but now it finds voice in Latin America through such diplomats as Dr. Simón Planas Suárez of Venezuela, who has recently written a book of 534 pages given to proving that the American nations should withdraw from the League.¹ Three Central American States, Guatemala, Honduras and Nicaragua, have recently resigned from the League. Brazil resigned because she was not given a permanent seat on the Council in 1926 and Costa Rica resigned in 1924, after questioning the

¹ La política Europea y la Sociedad de las Naciones, Una Advertencia a America, Barcelona, 1935.

meaning of Article XXI of the Covenant in regard to the Monroe Doctrine. Paraguay served notice of her resignation in 1935. The failure of the League to give any help to a small, defenseless country like Ethiopia has added to the growing feeling that it is a European organization, run by the big European powers, and cannot recompense small American nations for the enormous cost of membership.

Other Latin American nations have, however, recently shown renewed interest in the League. Argentina, after a long absence, has returned to a vital participation. Indeed it was the Italo-Ethiopian war that compelled Latin America to face realistically its League relationships. To join in the League's sanctions meant real sacrifice for Argentina, with its million Italians, and for Venezuela with its oil, Colombia with its coffee, Chile with its nitrate, all anxious for markets. But unlike the United States, they paid the price and joined the European countries in these sanctions. When Italy captured Addis Ababa, it was Argentina that realized that the very life of the League was at stake and requested that the Assembly be called to face the sanctions question, instead of leaving it to the Council. At that meeting on June 30, 1936, when the whole question of the continuance of the League had to be faced, whole-hearted declarations of loyalty to the League were made by Latin American members. Argentina, "fearing for the good name of the League" in such a crisis, pledged itself to "collaborate to secure the work of justice and peace to which this Society is destined." Colombia defined her friendship with five declarations including "the maintenance of the principle of universality of the League Covenant" along with "the adhesion to the development of regional accords which would facilitate the carrying out of the Covenant."²

Panama declared that the lesson had been learned that "to endeavor to universalize a local conflict was to give it an importance that it does not have and to apply remedies that are not specific is impracticable. . . . The League cannot exist unless it permits the free play of regional interests and organizations. A powerful current in Latin

² Boletín Mensual de la Sociedad de las Naciones, June, 1936, pp. 177-8.

American public opinion asks that that continent retire in a body from the League, because the organization has failed and the American Continent can develop by itself its own public policies. . . . But in the degree to which our presence in Geneva does not limit our dignity as Americans or does not conflict with the principles of American international law, we ought to remain here to give our eloquent testimony to the great cause of universal peace."³

"In regard to reforms for the League made necessary by the Ethiopian crisis," Ecuador declared, "those accepted must leave room for advancement toward regional understandings, allowed by the Covenant itself, which will permit greater expression of community interests. . . . It has become clear that the abstract concept of the universality of principles is not sufficient to induce far-away countries to intervene in distant conflicts."⁴

Peru pointed out, along with her loyalty to the League, that the Chaco and Leticia questions had emphasized the difference between the international problems of America and of Europe and that the latter had shown its desire that America should handle these questions. Bolivia declared that the world was too small for it to split up in sections.

Mexico, closing the debate, "feared the reconstruction of an international juridical system on the ruins, still smoking, of an unjust act . . . it might mean the future destruction of the system itself. . . . One of the greatest possible injustices would be the continuance in international society of a nomadic attitude that refused to submit international life to definite norms."⁵

As Argentina had suggested the calling of this Assembly meeting, it was Chile, in declaring its belief in the League, that moved that each member nation be asked to send to the Secretary General its suggestions for the reforming of the League, "with the aim of reaching universality, at the same time due attention is given to regional interests."

³ Op. cit. p. 185.

⁴ Op. cit. p. 205.

⁵ Op. cit. p. 211.

It also proposed "asking the opinion of non-members in order to induce them to join."

In the 1934 Assembly of the League a resolution presented by Colombia was approved to appoint a committee to study the desirability of the "establishment of regular permanent links between the League and the Pan American Union." This step was no doubt taken in view of the proposal of Secretary Hull at the Montevideo Conference that the Governing Board should make recommendations to the next Pan American Conference "as to the steps to be taken to insure full and whole-hearted co-operation with non-American organizations and states." Thus it would seem that the Buenos Aires Conference has an opportunity to reconcile somewhat the rivalries between Geneva, Washington and Buenos Aires as peace agents.

An American League of Nations

It would require more daring than nations are likely to show for the Buenos Aires gathering to approve the setting up of anything like a formal Society of American Nations. But since this dream of Bolívar, so often advocated by later Latin American statesmen, is being urged today, let us look at its possible outreach. Some considerations favorable to such an organization are:

1. The swing toward regional organizations by many of the strongest friends of the League of Nations, who believe that universality cannot be attained without also providing for local autonomy.
2. If regional agreements could bring together all related countries, by establishing relations between the regional and universal League, nations unwilling to take on direct universal responsibilities might become indirectly related to a world organization.
3. The divisive elements in such questions as the Monroe Doctrine, intervention, recognition, imperialism, etc., would disappear naturally, with all nations working together.
4. The imperative need of co-ordinating all the peace pacts and organizations now so ineffective could be met by having an inclusive organization which would unify the whole.

What might be the nature of such an organization? The series of conferences held under the auspices of Latin America, beginning at Panama in 1826, outlined such a union, under the following five pretentious principles:

1. Continental juridical organization through the codification of international law and uniformity of private law.
2. Renunciation of wars of aggression and conquest.
3. A system of collective guaranty of territorial integrity, independence, political sovereignty, and national institutions; with the principle of non-intervention as a complementary formula to the system of guaranty.
4. Methods for the pacific settlement of international controversies; conciliation; investigation; obligatory arbitration; collective mediation; consultation by the governments.
5. A system of sanctions of international obligations.

These suggestions were considered too difficult by the nations concerned in those days. In fact, lack of close communication made them impossible. But the rapid development of the airplane and radio today have brought so many new problems that these very principles are struggling to be born in a World League of Nations. President Baltasar Brum of Uruguay, in advocating a Continental League in 1923 stated that "the organization of this American League is in my opinion a logical sequence to the Versailles Treaty of Peace, which in recognizing and expressly accepting the Monroe Doctrine seems to be desirous of limiting its sphere of action as far as American affairs are concerned. . . . The American League would therefore have the double purpose of occupying itself with conflicts with the extra continental countries, and with disputes that might arise amongst its members. The first purpose would greatly benefit the members of the World League and the second concerning itself with the harmonious action of American countries would avoid European intervention in our affairs. Some of the guiding principles of such an organization would be:

- a. All American countries will consider as a direct

offence any threat that might be made by extra continental nations, to the rights of any of them, the offence originating therefore, a uniform and common retaliation.

- b. Without prejudice to adherence to the League of Nations, an American League should be formed on the basis of absolute equality of all the associate countries.
- c. No question, which, according to the laws of the country, should be judged by its courts, can be removed from national jurisdictions and transferred to diplomatic appeals, the latter being admitted only in case of flagrant injustice.
- d. All controversies, of any nature whatsoever, and which for any reason might arise amongst American countries should be submitted to the arbitration of the [American] League, when these can not be solved directly by friendly mediation.
- e. Should any American country have a controversy with the League of Nations it may request the co-operation of the American League."¹

In this connection, it may be recalled that when Foreign Minister Briand proposed his European Union he stressed the following principles:

1. It must not conflict with or weaken the authority of the League of Nations.
2. It must not oppose any nation or ethnic group outside the League or in other continents.
3. It must not affect in any manner the sovereign rights of the states which are members of such an association.

The formation of such a Continental Union could be greatly simplified by using the Pan American Union itself as the frame work and giving it authority to deal with political questions. The present Pan American conferences becoming the authoritative body would have to be held more often and assume more direct responsibility in the

¹ Baltasar Brum, *The Peace of the World*, Montevideo, 1923.

conduct of the Union. The Governing Board would need to be enlarged and freed from compulsory relations to the diplomatic corps in Washington. The Secretariat of the Pan American Union would serve admirably for the new organization. Already the Union has most of the sections that would be needed, although they function now, with the exception of the Pan American Bureau of Sanitation, as purely informational. They are as follows: Commercial, Economic, Labor,² Statistics, Agriculture, Cultural Exchange, and the semi-independent Sanitary Bureau. A juridical section to aid in the codification of international law was authorized by the Montevideo Conference. Cooperation has been established between the sections on labor and on sanitation of the Union in Washington and the League in Geneva.

NEUTRALITY

In the theoretical problems of peace organization, Latin American delegates may be expected to provide more aggressive leadership. In the practical question of neutrality and economic problems the United States will naturally be expected to indicate the lines of advance. Public opinion in the United States in regard to neutrality as well as its legal status is today uncertain. All American nations endeavored at the beginning of the World War to hold to the principles declared in the first and second Hague Conferences and the Declaration of London. But the insistence on such neutral rights sucked several American countries into the war itself. The dangers of such insistence on rights of neutrals to trade with belligerents have caused many to believe that neutrals wishing to keep out of war could do little but refuse to trade with either belligerent.

It is reported that the United States is preparing a treaty following largely the recent legislation passed by Congress. Provision would be made for embargoes on arms, ammuni-

² Considerable rivalry has developed around the question as to whether American labor problems would be worked out through the International Labor Office or through an American organization. This question was warmly debated at the Seventh Pan American Conference at Montevideo and at the first Regional Conference held by the International Labor Office on the American Continent, at Santiago, Chile, January 2-14, 1936.

tion and implements of war and on loans and credits to belligerents, and would commit all the signatories to the principle of pacific settlement of disputes. The proposed plan also would seek to bind the nations not to begin hostilities without a previous declaration, with reasons given, or an ultimatum with a conditional declaration of war. Neutrals would have freedom to impose trade restrictions against belligerents as they saw fit, unless these contravened existing trade agreements. A permanent international consultative committee would co-ordinate the action of signatories, composed of the heads of the Foreign Offices of the several governments. The projected treaty would apply to inter-American relations, but not in case of war between an American and a European country.

The Latin American nations are not solely interested in neutrality during a world war, when their rights and trade would be affected, but also in relations between border states where one country might suffer from help given to revolutionists by a neighboring state or its citizens. The Chaco War showed the great difficulty of arriving at any basis for neutrality satisfactory to various parties whose interests widely differ. However, the threat of war in Europe and Asia, make it imperative that the American Continent unite on a plan that will do most to prohibit the spread of conflict to this hemisphere. Such a plan, to be fully useful, should avoid obstructing action by the League of Nations to restrain an aggressor.

LIMITATION OF ARMAMENT

This topic will probably concern largely the Latin American countries, since the United States, with much larger armaments than all Latin America together, considers that her problem must be worked out with the great extra-continental powers. Only once before has this subject been placed on a Pan American agenda, at the Santiago Conference in 1923. It then developed into a discussion practically between Argentina, Brazil and Chile. No accord was reached. This resulted in Argentina undertaking much larger expenditures. Chile hoped to get relief from a large naval budget, but Brazil insisted that she

could promise no reduction because of the need of sea forces to guard against internal disturbances. Since that conference, land forces have been greatly increased in Colombia, Peru, Bolivia and Paraguay, because of international struggles, and in the Dominican Republic, Cuba, Guatemala, Salvador, Honduras, Uruguay and Brazil because of threats against more or less dictatorial governments.

Argentina has an army of 31,883 and a navy of 100,021 tons and a total expenditure for military budget of about 40,000,000 American dollars. Brazil has an army of 79,238, a tonnage of 54,726 and a total expenditure for armaments of \$53,700,000; Chile has an army of 11,020, a total tonnage of 74,266 and an expenditure of \$14,250,000. Cuba has an army of 11,685 and an expenditure of \$12,200,000. Mexico has an army of 53,348, 30 coast defense ships and a military expenditure of \$17,080,000. Costa Rica has the honor place with only 318 in her army and a military expenditure of \$585,000. The United States (1935) had an army of 167,762, a total tonnage of 1,288,855 and a total expenditure of \$911,700,000.¹

Eighteen countries of Latin America have armed forces numbering about 244,384. Adding an estimated 15,000 for Bolivia and Paraguay, since the signing of the armistice, the total would be about 260,000 for all Latin America. An estimate of the expenditures in American dollars for the eighteen countries is \$175,000,000.

The Buenos Aires Conference can hardly ignore the sensational exposures by the Nye Committee of the United States Senate of the way the manufacturers of armaments in the United States have played off one Latin American country against another in selling them armaments and have spread liberal bribes at very heavy cost to Latin American taxpayers. An incipient anti-war movement among students and labor elements may make some demands for their governments to take seriously this item on

¹ Figures from Armament Yearbook of League of Nations, 1934 and 1935 editions, and quoted in Special Handbook for Use of Delegates (to the Buenos Aires Conference), issued by the Pan American Union. The expenditures given here are only approximate, since they have been reduced to American dollars by taking an average rate of exchange during recent years.

the agenda. But it is much more likely that conservative administrations facing threats of liberals will block any effective action. Chile, however, will champion this cause as a practical measure to relieve her desperate financial condition, with her peso now worth only one-twentieth of the American dollar.

JURIDICAL PROBLEMS

Peace through an accepted code of American international law has been a hope since the Second Pan American Conference when a Commission on Codification was appointed. Ever since that time such commissions have been at work, meeting at special times and bringing reports to Pan American conferences, embodying many important proposals for peace machinery. The Montevideo Conference took an advance step by providing for the election of a permanent group of international lawyers who would sit in Washington to work constantly at this question. The Buenos Aires meeting will no doubt find it advisable to refer to this group various juridical questions which need more careful study than an *ad hoc*. conference could give to them. The following distinguished authorities have been selected to serve on the Commission: Dr. Victor M. Maúrtua, of Peru; Dr. Alberto Cruchaga Ossa, of Chile; Dr. Carlos Saavedra Lamas, of Argentina; Dr. Luis Anderson Murua, of Costa Rica; Dr. Eduardo Sáurex, of Mexico; Dr. Afranio de Mello Franco, of Brazil; Mr. J. Reuben Clark, of the United States.

This group has been called to meet for its first session at Washington on April 5, 1937. Its work, of course, involves long tedious efforts, as previous experience both in Europe and America indicate. Here again is another place for the Buenos Aires Conference to explore means of closer co-operation between the Commission, the Pan American Union and the League of Nations.

ECONOMIC PROBLEMS

In his call for the Conference, President Roosevelt discussed only the necessity of improving peace machinery, not mentioning economic problems. But the addition of

these to the agenda is no doubt pleasing to Secretary of State Hull, who introduced the subject of the reduction of tariffs at the Montevideo Conference. The "Hull Plan" there adopted called for (1) the lowering of tariffs by the negotiation of bilateral or multilateral reciprocal treaties; (2) the elimination of duties which practically exclude international competition; (3) continuation of the unconditional most favored national clause, and (4) establishment of a permanent international agency to distribute information concerning progress made in reducing trade barriers. Since the Montevideo Conference, as already mentioned, the United States has made trade agreements with various Latin American countries and certain Latin American countries have also made such agreements among themselves, greatly to the benefit of trade. A Pan American Commercial Conference was held in Buenos Aires a few months after the Montevideo gathering and further advanced inter-American commercial exchange. A tariff truce and other special agreements have been suggested between American countries not only as benefits to this continent but as an example to other parts of the world in regard to restoration of international trade. The growing recognition of the impossibility of political peace among nations while there is economic warfare will force a consideration of ways to improve inter-American trade. A further relaxing of the control of exchange, which has done so much to kill foreign trade in various countries, should have a place alongside of tariff reductions. The recent co-operation of the United States with France and England in the devaluation of the franc offers suggestions for a united move to aid all democracies in improving trade and thus reducing the causes of war.

INTELLECTUAL CO-OPERATION

Such a topic has often appeared on American Conference agenda, but is usually crowded out by the more exciting political questions. At the Montevideo Conference a pact was signed agreeing to reform the texts and teaching of history so as to eliminate offensive references to sister nations. The Pan American Union has an excellent De-

partment of Intellectual Co-operation, which serves largely the United States.

Two Pan American Educational Conferences have been held, one at Havana in 1930, and one at Santiago, Chile, in 1935. A rather pretentious organization was outlined at the Havana Conference of rectors, deans and educators. But no machinery has been provided to carry out these plans and so little has been accomplished. Outside of Chile, little has been heard of the recent conference in Santiago. Due to the interest created by the placing of exiled German scholars in various South American countries a recent movement has been started by the Universities of Panama and San Marcos at Lima to form the Instituto Americano Universitario de Investigación. Ecuador and Chile have recently held expositions of American books. There is no limit to the program that might be developed to improve inter-American understanding. Delegates to the Buenos Aires Conference will find in that city two institutions that are doing splendid work in this exchange of the finest spiritual values of North and South, the Argentina-North American Institute of Cultural Exchange, led by Argentines, and Ward College, led by North Americans.

The newly developed confidence in the United States shown by Latin America is largely confined so far to governmental circles. There is great need of a movement to extend this to university circles, public schools, labor organizations, women's clubs, and young people's groups. The United States presents a sad picture in the international cultural field in Latin America. Lecturers from France, Italy, Germany, Russia, India, Japan and other parts of the world crowd into the capitals of the southern countries. Foreign commissions for the development of cultural relations are frequently seen. Embassies and consulates of foreign countries often have special departments or educational attachés to promote their countries' intellectual influence. But not so with the United States. Our diplomatic corps has often limited its work to politics and commerce. Even our great foundations and universities which spend millions on student centers, exchange professors, etc., in Europe and Asia have woefully neglected the good neighbor

policy by failing to present to our Southern friends the spiritual, scientific, artistic and educational phases of our national life. It is time both our government and our great cultural agencies should take seriously this important phase of moral disarmament.

DEMOCRACY'S OPPORTUNITY

More important than any particular topic on the agenda, is what this American conference may do to save democracy. From the Hudson Bay to the Straits of Magellan, the longest line in the world without a single break, are found countries pledged whole-heartedly to democracy. Fascism and Communism have their influence and are struggling hard to capture power. Dictatorships in various Southern countries seem at times to verge closely to the one or the other enemy of free speech and individual liberty. But Buenos Aires has a chance—a great opportunity—to unite the Republics of America and hold out a hand to other liberal governments of Europe, in a forward march to a new democratic world order.

APPENDIX

PROGRAM OF THE INTER-AMERICAN CONFERENCE FOR THE MAINTENANCE OF PEACE

I

ORGANIZATION OF PEACE

1. Methods for the prevention and pacific settlement of Inter-American disputes.
 - a.* Consideration of possible causes of controversy and of measures for their peaceful solution, excepting questions already settled by treaties.
 - b.* Co-ordination and perfecting of existing international instruments for the maintenance of peace, and desirability of incorporating them in one instrument.
 - c.* Consideration of additional measures for the maintenance of peace and the pacific settlement of Inter-American controversies.
 - d.* Measures intended to secure the prompt ratification of treaties and conventions for the maintenance of peace.
 - e.* Generalization of the Inter-American juridical system for the maintenance of peace.
 - f.* Creation of an Inter-American Court of Justice.
2. Consideration of other measures tending toward closer association of the American Republics and of measures of co-operation with other international entities.

II

NEUTRALITY

3. Consideration of rules regarding the rights and duties of neutrals and belligerents.

III

LIMITATION OF ARMAMENTS

4. Necessity of limiting the organization and armaments of national defense, so as only to guarantee internal security of the States and their defense against foreign aggression.

IV

JURIDICAL PROBLEMS

5. Consideration of methods for the future codification of International Law.
6. Formulation of principles with respect to the elimination of force and of diplomatic intervention in cases of pecuniary claims and other private actions.
7. Unification of the international American principle and of national legislation with respect to the problems of nationality.

V

ECONOMIC PROBLEMS

8. Measures to promote closer economic relations among the American Republics.
 - a.* Tariff truces and customs agreements.
 - b.* Agreement on sanitary regulations affecting the interchange of animal and vegetable products.
 - c.* Equality of opportunity in international trade.
 - d.* Financial co-operation.
 - e.* International aspects of the problems of immigration.
 - f.* Promotion of travel.
 - g.* Other measures.
9. Improvement of communication facilities.
 - a.* Maritime communications.
 - b.* The Pan American Highway.
 - c.* Other measures.

VI

INTELLECTUAL CO-OPERATION

10. Measures to promote closer intellectual and cultural relations between the American Republics, and the development of the spirit of moral disarmament.

ANTI-WAR TREATY OF NON-AGGRESSION AND CONCILIATION
SIGNED AT RIO DE JANEIRO, OCTOBER 10, 1933

Art. I.—The high contracting parties solemnly declare that they condemn wars of aggression in their mutual relations or in those with other states, and that the settlement of disputes or controversies of any kind that may arise among them shall be effected only by the pacific means which have the sanction of international law.

Art. II.—They declare that as between the high contracting parties territorial questions must not be settled by violence, and that they will not recognize any territorial arrangement which is not obtained by pacific means, nor the validity of the occupation or acquisition of territories that may be brought about by force of arms.

Art. III.—In case of noncompliance, by any state engaged in a dispute, with the obligations contained in the foregoing articles, the contracting states undertake to make every effort for the maintenance of peace. To that end they will adopt in their character as neutrals a common and solidary attitude; they will exercise the political, juridical, or economic means authorized by international law; they will bring the influence of public opinion to bear, but will in no case resort to intervention, either diplomatic or armed; subject to the attitude that may be incumbent on them by virtue of other collective treaties to which such states are signatories.

Art. IV.—The high contracting parties obligate themselves to submit to the conciliation procedure established by this treaty the disputes specially mentioned and any others that may arise in their reciprocal relations, without further limitations than those enumerated in the following article, in all controversies which it has not been possible to settle by diplomatic means within a reasonable period of time.

Art. V.—The high contracting parties and the states which may in the future adhere to this treaty may not formulate, at the time of signature, ratification, or adherence, other limitations to the conciliation procedure than those which are indicated below:

(a) Differences for the solution of which treaties, conventions, pacts, or pacific agreements of any kind whatever may have been concluded, which in no case shall be considered as annulled by this agreement, but supplemented thereby insofar as they tend to assure peace; as well as the questions or matters settled by previous treaties;

(b) Disputes which the parties prefer to solve by direct settlement or submit by common agreement to an arbitral or judicial solution;

(c) Questions which international law leaves to the exclusive competence of each state, under its constitutional system, for which reason the parties may object to their being submitted to the conciliation procedure before the national or local jurisdiction has decided definitively; except in the case of manifest denial or delay of justice, in which case the conciliation procedure shall be initiated within a year at the latest;

(d) Matters which affect constitutional precepts of the parties to

the controversy. In case of doubt, each party shall obtain the reasoned opinion of its respective tribunal or supreme court of justice, if the latter should be invested with such powers.

The high contracting parties may communicate, at any time and in the manner provided for by article XV, an instrument stating that they have abandoned wholly or in part the limitations established by them in the conciliation procedure.

The effect of the limitations formulated by one of the contracting parties shall be that the other parties shall not consider themselves obligated in regard to that party save in the measure of the exceptions established.

Art. VI—In the absence of a permanent conciliation commission or of some other international organization charged with this mission by virtue of previous treaties in effect, the high contracting parties undertake to submit their differences to the examination and investigation of a conciliation commission which shall be formed as follows, unless there is an agreement to the contrary of the parties in each case;

The conciliation commission shall consist of five members. Each party to the controversy shall designate a member, who may be chosen by it from among its own nationals. The three remaining members shall be designated by common agreement by the parties from among the nationals of third powers, who must be of different nationalities, must not have their customary residence in the territory of the interested parties, nor be in the service of any of them. The parties shall choose the president of the conciliation commission from among the said three members.

If they cannot arrive at an agreement with regard to such designations, they must entrust the selection thereof to a third power or to some other existing international organism. If the candidates so designated are rejected by the parties or by any one of them, each party shall present a list of candidates equal in number to that of the members to be selected, and the names of those to sit on the conciliation commission shall be determined by lot.

Art. VII—The tribunals or supreme courts of justice which, in accordance with the domestic legislation of each state, may be competent to interpret, in the last or the sole instance and in matters under their respective jurisdiction, the constitution, treaties, or the general principles of the law of nations, may be designated preferentially by the high contracting parties to discharge the duties entrusted by the present treaty to the conciliation commission. In this case the tribunal or court may function as a whole or may designate some of its members to proceed alone or by forming a mixed commission with members of other courts or tribunals, as may be agreed upon by common accord between the parties to the dispute.

Art. VIII—The conciliation commission shall establish its own rules of procedure, which shall provide in all cases for hearing both sides.

The parties to the controversy may furnish, and the commission may require from them, all the antecedents and information necessary. The parties may have themselves represented by delegates and assisted by advisers or experts, and also present evidence of all kinds.

Art. IX—The labors and deliberations of the conciliation commission shall not be made public except by a decision of its own to that effect, with the assent of the parties.

In the absence of stipulation to the contrary, the decisions of the commission shall be made by a majority vote, but the commission may not pronounce judgment on the substance of the case except in the presence of all its members.

Art. X—It is the duty of the commission to secure the conciliatory settlement of the disputes submitted to its consideration.

After an impartial study of the questions in dispute, it shall set forth in a report the outcome of its work and shall propose to the parties bases of settlement by means of a just and equitable solution.

The report of the commission shall in no case have the character of a final decision or arbitral award either with respect to the exposition or interpretation of the facts, or with regard to the considerations or conclusions of law.

Art. XI—The conciliation commission must present its report within 1 year, counting from its first meeting, unless the parties should decide by common agreement to shorten or extend this period.

The conciliation procedure, having been once begun, may be interrupted only by a direct settlement between the parties or by their subsequent decision to submit the dispute by common accord to arbitration or to international justice.

Art. XII—In communicating its report to the parties, the conciliation commission shall fix for them a period, which shall not exceed 6 months, within which they must decide as to the bases of the settlement it has proposed. On the expiration of this term, the commission shall record in a final act the decision of the parties.

This period having expired without acceptance of the settlement by the parties, or the adoption by common accord of another friendly solution, the parties to the dispute shall regain their freedom of action to proceed as they may see fit within the limitations flowing from articles I and II of this treaty.

Art. XIII—From the initiation of the conciliatory procedure until the expiration of the period fixed by the commission for the parties to make a decision, they must abstain from any measure prejudicial to the execution of the agreement that may be proposed by the commission and, in general, from any act capable of aggravating or prolonging the controversy.